

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JUNE 15, 2004 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

A Special Meeting of the **SAN DIEGO REDEVELOPMENT AGENCY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Redevelopment Agency Secretary at (619) 533-5432.

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7540.

ITEM-300:

ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE ===

Adoption Agenda, Discussion, Committee Item

- ITEM-330: Two actions related to North University City Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2005. University Community Plan Area. (Dist. 1)
LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:
On 5/19/2004, LU&H voted 5 to 0 to approve the City Manager's recommendation and direct the City Manager to continue to explore other ways to phase the projects within the facilities finance plan and still do all the projects.

Adoption Agenda, Discussion, Other Legislative Items

- ITEM-331: Business Improvement District Budgets for Fiscal Year 2005. Centre City, College Area, Greater North Park, La Jolla, Mid-City, Midway, Mission Beach, Ocean Beach, Old San Diego, Pacific Beach, San Ysidro, Southeast San Diego, and Uptown Community Areas. (Dists. 1, 2, 3, 4, 7, and 8)
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.
- ITEM-332: Ratifying the Election Results for the Barrio Logan Redevelopment Project Area Committee. Barrio Logan Community Area. (Dist. 8)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-333: San Diego Affordable Housing Fund FY 2005 Annual Plan.
SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:
Adopt the resolution.

=== LEGISLATIVE SCHEDULE (Continued) ===

Noticed Hearing

ITEM-334: Two actions related to Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2004. Torrey Highlands Community Area. (Dist. 1)
LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:
On 2/4/2004, LU&H voted 5 to 0 to approve the City Manager's recommendation and refer to City Council with direction to the City Manager to: 1) Continue working with property owners and developers regarding development phasing thresholds ensuring that any proposed shift in trips between residential and commercial allocations takes into account the impact on the need for parks and assurance that any change would not conflict with any existing approvals, agreements, or entitlements, and 2) Meet with developers and property owners to explain the basis of proposed FBA fee increases.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEM

COMMITTEE ON LAND USE AND HOUSING,
RESOLUTIONS:

ITEM-330: Two actions related to North University City Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2005.

(See City Manager Report CMR-04-102. Second Draft Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2005; Friends of Rose Canyon 5/18/04, 5/19/04 letters. University Community Plan Area. District-1.)

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2004-1186)

Approving the document entitled "North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2005."

Subitem-B: (R-2004-1187)

Resolution of Intention to designate an area of benefit in North University City and setting the time and place for holding a public hearing thereon.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 5/19/2004, LU&H voted 5-0 to approve the City Manager's recommendation and direct the City Manager to continue to explore other ways to phase the projects within the facilities finance plan and still do all the projects. (Councilmembers Peters, Zucchet, Lewis, Frye, and Inzunza voted yea.)

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-331: Business Improvement District Budgets for Fiscal Year 2005.

(Centre City, College Area, Greater North Park, La Jolla, Mid-City, Midway, Mission Beach, Ocean Beach, Old San Diego, Pacific Beach, San Ysidro, Southeast San Diego, and Uptown Community Areas. Districts-1, 2, 3, 4, 7, and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2004-1302)

Accepting the budget report for each Business Improvement District for July 1, 2004, through June 30, 2005 (FY 2005).

Subitem-B: (R-2004-1303)

Resolution of Intention to levy an annual assessment within previously established Business Improvement Districts for July 1, 2004, through June 30, 2005 (FY 2005) and setting Tuesday, June 29, 2004 as the noticed public hearing for that purpose.

CITY MANAGER SUPPORTING INFORMATION:

Business Improvement Districts (BIDS) are authorized by State law to assess businesses for the cost for certain activities that will benefit those businesses. These activities are generally promotional in nature. Once a BID is established the City collects the assessments and disburses them to an appropriate entity representing the district pursuant to an annual operating agreement. There are currently 18 active districts in the City of San Diego: Adams Avenue, City Heights, College Area, Diamond, Downtown, El Cajon Boulevard Central, El Cajon Boulevard Gateway, Gaslamp, Hillcrest, La Jolla, Little Italy, Midway, Mission Hills, North Park, Ocean Beach, Old Town, Pacific Beach, and San Ysidro.

State law requires that the City Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments. The actions being taken today are: accept the budget reports and set Tuesday, June 29, 2004 for the public hearing to levy the proposed assessment for each BID for FY 2005.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-331: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

At the public hearing, the City Council may confirm the acceptance of the budget reports, adopt the resolution authorizing the assessments and authorize the City Manager to enter into agreements with the respective associations to manage the BIDs. Mission Hills has a new business association in place and the board members have participated in launching a new set of programs to better serve the Mission Hills business community.

FISCAL IMPACT:

Approximately \$1.3 million of BID assessments will be collected in FY 2005 by City on behalf of BIDs and disbursed back to the BIDs. There is no net fiscal impact.

Herring/Cunningham/MDB

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-332: Ratifying the Election Results for the Barrio Logan Redevelopment Project Area Committee.

(Barrio Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1335)

Ratifying the election results of May 27, 2004, for the Barrio Logan Redevelopment Project Area Committee.

CITY MANAGER SUPPORTING INFORMATION:

The Formation Procedures for the Barrio Logan Redevelopment PAC is the primary document that provides a framework to administer the yearly elections. On December 8, 2003, the City Council approved with Resolution R-298704, the amendments to the Formation Procedures for the Barrio Logan Redevelopment Project Area Committee (Procedures). The amended Procedures required that the City Council direct Redevelopment Agency Staff to notice and conduct the annual elections. With the authorization of City Council, R-298706, Redevelopment Agency Staff noticed and conducted the May 27, 2004 Barrio Logan PAC elections. Seven (7) out of the thirteen (13) seats of the Barrio Logan PAC were vacant and available to be filled at the election. The council has previously ratified the PAC election results (in 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002 and 2003) in accordance with the former Barrio Logan PAC Formation Procedures.

The PAC annual election was held on May 27, 2004, to fill seven (7) vacancies on the PAC. As a result of the election, six members were re-elected. One Business Owner seat remains unfilled as only two candidates applied for the Business Owner category while three seats were up for election.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-332: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

The names and categories represented by the six elected members nominated for ratification by the City Council are as follows:

Residential Tenant: Antonia Labra
Residential Tenant: Maria Munoz
Business Owner: Luis E. Garcia
Business Owner: Glenna Schmidt
Residential Owner-Occupant: Armida Sainz-Ramirez
Community Organization: Rachael Ortiz

See memorandum from Bonnie Stone of the City Clerk's Office, verifying the election results of May 27, 2004.

In accordance with the Council's procedures regarding the formation of the Barrio Logan Redevelopment PAC, City Council ratification of the annual election results is required.

Herring/Cunningham/SJ

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-333: San Diego Affordable Housing Fund FY2005 Annual Plan.

(See San Diego Housing Commission Report HCR04-037.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1229)

Approving the San Diego Affordable Housing Fund FY2005 Annual Plan.

NOTE: See the San Diego Housing Authority Agenda of June 15, 2004.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARING:

ITEM-334: Two actions related to Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2004.

(See City Manager Report CMR-04-029; Draft Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2004 Draft. Torrey Highlands Community Area. District-1.)

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2004-869)

Designating an area of benefit in Torrey Highlands and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each such parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments, and proceedings thereto, and ordering of proposed Public Facilities Project in the matter of Torrey Highlands Facilities Benefit Assessment Area.

Subitem-B: (R-2004-870)

Approving the Development Impact Fee (DIF) schedule for properties within Torrey Highlands.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 2/04/2004, LU&H voted 5-0 to approve the City Manager's recommendation and refer to City Council with direction to the City Manager to: 1) Continue working with property owners and developers regarding development phasing thresholds ensuring that any proposed shift in trips between residential and commercial allocations takes into account the impact on the need for parks and assurance that any change would not conflict with any existing approvals, agreements, or entitlements, and 2) Meet with developers and property owners to explain the basis of proposed FBA fee increases. (Councilmembers Peters, Zucchet, Lewis, Frye, and Inzunza voted yea.)

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT